

**DECLARATION (37 CFR 1.601) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 09/858,305, filed on May 15, 2001,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one David L. Baldwin Date: 14 August 2001

Signature: David L. Baldwin Citizen of: USA

Inventor two Alexander J. Nagy Date: 8/15/01

Signature: Alexander J. Nagy Citizen of: USA


Inventor three Jeffrey A. Hawthorne Date: 8/14/2001

Signature: Jeffrey A. Hawthorne Citizen of: USA

Inventor four Jeffrey P. Sample Date: 8/6/2001

Signature: Jeffrey P. Sample Citizen of: USA

☒ Additional inventors are being named on one additional form(s) attached hereto.


Please type a plus sign (+) inside this box ➡ 

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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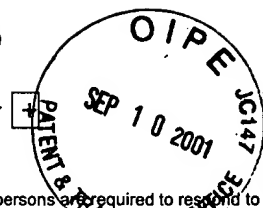
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|--------------------|---|
| <b>DECLARATION</b> | <b>ADDITIONAL INVENTOR(S)</b><br><b>Supplemental Sheet</b><br>Page 1 of 1 |
|--------------------|---|

|   |       |   |                 |
|---|-------|---|-----------------|
| <b>Name of Additional Joint Inventor, if any:</b>   |       | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |
| Given Name (first and middle [if any])  |       | Family Name or Surname  |                 |
| Thanh V.  |       | Dang  |                 |
| Inventor's Signature<br> |       | 8/14/01<br>Date   |                 |
| Residence: City   | State | Country   | Citizenship USA |
| Mailing Address   |       |   |                 |
| Mailing Address   |       |   |                 |
| City  | State | ZIP   | Country         |
| <b>Name of Additional Joint Inventor, if any:</b>   |       | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |
| Given Name (first and middle [if any])  |       | Family Name or Surname  |                 |
|   |       |   |                 |
| Inventor's Signature  |       | Date  |                 |
| Residence: City   | State | Country   | Citizenship     |
| Mailing Address   |       |   |                 |
| Mailing Address   |       |   |                 |
| City  | State | ZIP   | Country         |
| <b>Name of Additional Joint Inventor, if any:</b>   |       | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |
| Given Name (first and middle [if any])  |       | Family Name or Surname  |                 |
|   |       |   |                 |
| Inventor's Signature  |       | Date  |                 |
| Residence: City   | State | Country   | Citizenship     |
| Mailing Address   |       |   |                 |
| Mailing Address   |       |   |                 |
| City  | State | ZIP   | Country         |

**Burden Hour Statement:** This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PA 3145659 v1

Please type a plus sign (+) inside this box →



PTO/SB/81 (02-01)

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

|                        |  |
|------------------------|--|
| Application Number     | 09/858,305   |
| Filing Date            | May 15, 2001   |
| First Named Inventor   | Baldwin, David L., et al.  |
| Title                  | Sensing Head Positioning System<br>Using Two-Stage Offset Air Bearings |
| Group Art Unit         | 2837   |
| Examiner Name          | Unassigned   |
| Attorney Docket Number | 14116-61.10  |

I hereby appoint:

☒ Practitioners at Customer Number

20350

Place Customer  
Number Bar Code  
Label here

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |
|      |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

☒ Firm or  
Individual Name

Kenneth R. Allen

Address Townsend and Townsend and Crew LLP

Address Two Embarcadero Center, 8th Floor

City San Francisco State California ZIP 94111

Country USA

Telephone (650) 326-2400 Fax (650) 326-2422

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name William K. Pratt, Ph.D.

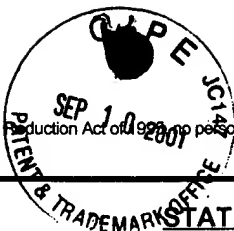
Signature *William K. Pratt*

Date *Aug. 6, 2001*

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
PA 3159025 v1



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: David L. Baldwin et al.

Application No./Patent No.: 09/858,305

Filed/Issue Date: May 15, 2001

Entitled: SENSING HEAD POSITIONING SYSTEM USING TWO-STAGE OFFSET AIR BEARINGS

Photon Dynamics, Inc., a California Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Aug. 6, 2001  
Date

William K. Pratt  
Signature

William K. Pratt, Ph.D.

Typed or printed name

CTO of Hardware and Software

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# COPY

Attorney Docket No.: 14116-61.10

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, David L. Baldwin, 1439 Tartarian Way, San Jose, CA 95129; Alexander J. Nagy, 16 Ridge Lane, Santa Cruz, CA 95060; Jeffrey A. Hawthorne, 122 6th Avenue, San Francisco, CA 94118; Jeffrey P. Sample, 2006 Skyline Drive, Milpitas, CA 95035; Thanh V. Dang, 846 Beaver Creek Way, San Jose, CA 95133; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:            SENSING HEAD POSITIONING SYSTEM USING TWO-STAGE OFFSET AIR BEARINGS

Date(s) of execution of Declaration: August 14, 2001, August 15, 2001, August 14, 2001  
August 6, 2001 and August 14, 2001

Filing Date:                    May 15, 2001

Application No.:                09/858,305; and

WHEREAS, Photon Dynamics, Inc., a corporation of the state of California, located at 6325 San Ignacio Avenue, San Jose, CA, 95119, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

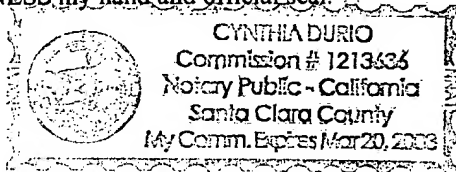
Dated: 14 August 2001

David L. Baldwin  
David L. Baldwin

STATE OF CALIFORNIA )  
 )  
COUNTY OF California ) ss.

On August 14, 2001, before me, Cynthia Durio, Notary Public  
personally appeared David L. Baldwin, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me  
that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Cynthia Durio  
NOTARY PUBLIC

My Commission Expires: March 20, 2003

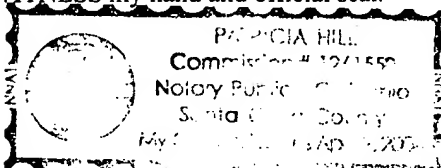
Dated: August 15, 2001

Alexander J. Nagy  
Alexander J. Nagy

STATE OF CALIFORNIA )  
 )  
COUNTY OF Santa Clara ) ss.

On Aug 15, 2001, before me, Patricia Hill, Notary Public  
personally appeared Alexander J. Nagy, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and  
acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on  
the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

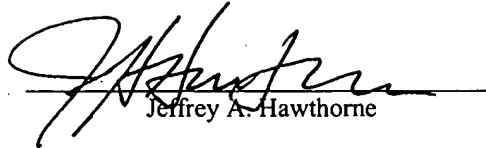
WITNESS my hand and official seal.



Patricia Hill  
NOTARY PUBLIC

My Commission Expires: April 22 2004

Dated: 8/14/2001

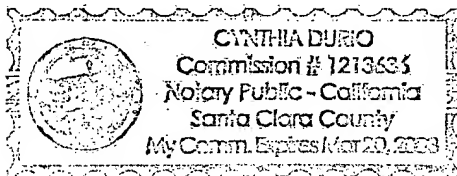
  
Jeffrey A. Hawthorne

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara )

ss.

On August 14, 2001, before me, Cynthia Durio, Notary Public, personally appeared Jeffrey A. Hawthorne, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

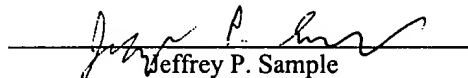
WITNESS my hand and official seal.



  
NOTARY PUBLIC

My Commission Expires: March 20, 2003

Dated: 8/6/2001

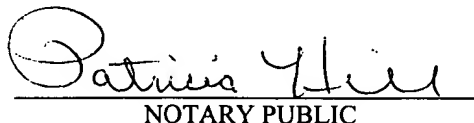
  
Jeffrey P. Sample

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara )

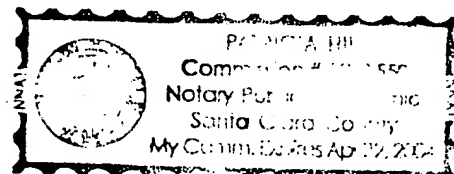
ss.

On Aug 6, 2001, before me, Patricia Hill, Notary Public, personally appeared Jeffrey P. Sample, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
NOTARY PUBLIC

My Commission Expires: April 22, 2004



Dated: 8-14-01

Thanh V. Dang  
Thanh V. Dang

STATE OF CALIFORNIA     )  
                                      )  
COUNTY OF Santa Clara     ) ss.

On August 14, 2001, before me, Patricia Hill, Notary Public, personally appeared Thanh V. Dang, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Patricia Hill  
NOTARY PUBLIC

My Commission Expires: April 22, 2004

PA 3159218 v1

